

Before the
Federal Communications Commission
Washington, D.C.

In the Matter of)	RM-10787
Petition For Rule Making)	
Amendment of Part 97 of FCC Amateur Service)	
Rules to Eliminate Morse Code Testing)	

Comments of James P. Miccolis, N2EY

Introduction

I am submitting these comments in response to RM-10787, to oppose the proposed removal of Morse code license testing in the Amateur Radio Service.

I am an electrical engineer with BSEE and MSEE degrees from the University of Pennsylvania and Drexel University, respectively, and am employed full time in the design of control systems for the transportation industry. I am coinventor of US Patent 5,358,202. I am also an amateur radio operator, first licensed by the Commission in 1967, and currently hold an Amateur Extra class license. My interest in amateur radio at an early age led me to pursue a career in electrical engineering.

I oppose the changes proposed by the NCVEC in RM-10787. There is no need to eliminate the code test for licenses in the amateur radio service.

History of Morse Code

The petitioners take several paragraphs in their petition to describe the history of Morse Code, in both landline and radio use. They describe its decline in use by other radio services, particularly the maritime radio services, but they do not accurately describe the use of Morse Code in the Amateur Service, past or present. Morse Code is the second most popular mode used by amateurs on the bands below 30 MHz, second only to single sideband voice communication.

While the use of Morse Code has essentially disappeared in other radio services, the mode is widely used by radio amateurs for a variety of purposes, particularly on the HF and MF amateur bands. Since an amateur radio license authorizes its holder to operate only in the amateur radio bands, it is only logical that amateur license requirements be based primarily on what modes and technologies amateurs actually use on the air, and only secondarily on what modes and technologies other services use. Therefore, the argument that the decline of Morse code use by other services should result in elimination of any Morse code testing for an amateur radio license is faulty.

The Amateur service is different from other radio services in several ways, such as its noncommercial nature. Its most unique feature, however, is that amateur radio is about radio for its own sake, rather than as a means to an end. Unlike other services, operating skill and technical know-how are fundamental qualities of the radio amateur. Other radio services have long focused on eliminating the need for operator skill and technical competence because those services, unlike amateur radio, are not fundamentally concerned with radio as an end in itself.

The petition contains the following sentence at the end of its “Introduction and Background” section:

“Even though the commercial world eliminated Morse code as a communications medium many years ago, it has continued on the amateur bands because manual Morse proficiency was an international Amateur service requirement when operating on spectrum under 30 MHz.”

This statement is incorrect in two ways. First, the elimination of Morse code use in other services is relatively recent (late 1990s) not “many years ago”. Second, and more important, the use of manual Morse code on the amateur bands is due to many factors, not just the former international test requirements. Radio amateurs use Morse code by choice; they are not required to do so by any regulation or test.

Telegraphy Test Requirements in the Amateur Service

The petitioners claim that the Morse Code test constitutes “an unnecessary and artificial impediment to those who wish to communicate and experiment below 30 MHz” and “an unnecessary and artificial impediment to fuller use of the Amateur Radio Service for many potential and existing amateurs”. The Morse Code test is also blamed for lack of upgrading by Technicians. No proof or evidence of these claims is made in the petition, however.

The past 23 years of US amateur radio history tell a different story, however. Growth in US amateur radio from 1980 to 1990 was virtually identical to that from 1990 to 2000, even though in the former period of time all US amateur licenses required a code test, and there were no medical waivers. The 1990-2000 period saw a surge of growth when the rules were changed, then regression to about the same level of growth that existed before the changes.

In a similar manner, the reduction of both written and code license test requirements in 2000 resulted in a surge of upgrades, which has tapered down to levels not much different than before the changes. The total number of US amateurs has only grown by about 10,000 in the 41 months since those rules changes took effect, and most of that growth took place soon after the rules changes. Upgrades of existing amateur licenses have displayed a similar pattern. It is only logical to conclude that if the code tests were a genuine impediment, growth in both total licenses and upgrades would have demonstrated a sustained, dramatic increase.

Morse Code testing is not an unreasonable “burden”.

The petitioners claim that the Morse Code test constitutes “an unnecessary burden upon the applicant” and to the VE system. This claim is made despite the wide variety of modern learning and testing methods now available, including free computer software, and the flexibility to apply a wide variety of accommodations in the testing process. Any test requirement that involves actual learning will constitute a burden to some.

By the petitioners’ reasoning, most of the contents of the written examinations would also constitute an “unnecessary burden” because few amateurs participate in all the activities of amateur radio that are part of the written testing.

The current 5 word per minute test represents an extremely basic level of a skill widely used in amateur radio. Yet the petitioners would remove even that basic test for all licenses, even for the Amateur Extra license class, which is meant to represent the expert level of radio amateur license.

Modern test preparation methods have greatly simplified the Morse code test process, and it is difficult to see how the 5 word per minute test is a burden to the VE system.

Morse Code as an indication of a quality operator.

The petitioners claim that the passing of a Morse code test does not indicate a “quality operator”. No test can absolutely guarantee that a licensee will be a “quality operator”. However, a review of the Commission’s enforcement actions shows that amateurs cited for rules violations are overwhelmingly using voice modes when the cited violations are committed. By contrast, enforcement actions against amateurs using Morse Code are extremely rare. The difference cannot be explained by the relative use of the various modes.

In at least one case, the Commission modified the license privileges of an amateur as the result of an enforcement action so that he was only authorized to use Morse Code on the HF bands.

Conclusion

While the Morse Code test is no longer required by international treaty, it continues to serve a useful purpose in the qualifications for an Amateur Service license. I urge the Commission to dismiss petition RM-10787 without further action.

Respectfully submitted,

James P. Miccolis

